

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

**IN RE DIGITEK®**

**PRODUCTS LIABILITY LITIGATION**

**MDL NO. 1968**

**THIS DOCUMENT RELATES TO ALL CASES**

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**NOTICE OF VIDEO DEPOSITION**

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Please take notice that the Plaintiffs Steering Committee will take the video deposition of **Rick Dowling** before a court reporter or other official authorized by law to take depositions, on **Wednesday, December 16, 2009, at 9:30 a.m.** to be conducted at the offices of **Harris Beach PLLC, 100 Wall St., New York, New York, 10005** at which time and place you are notified to appear and take such part of said deposition as may be proper.

This deposition will be recorded stenographically and on videotape, and will comply with any relevant orders in this MDL. This deposition is noticed in the above-captioned matter for any and all purposes permitted by the Federal Rules of Civil Procedure, and any other federal, state, or local rules that apply to this action and the deposition will be taken in accordance with these rules. The oral examination will continue from day to day until completed.

Dated: November 20, 2009

Respectfully submitted,

On Behalf of the Plaintiffs' Steering  
Committee

s/Fred Thompson, III Esq.  
Fred Thompson, III, Esq.  
Motley Rice, LLC  
28 Bridgeside Blvd.  
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***Co-Lead and Liaison Counsel***

**CERTIFICATE OF SERVICE**

I hereby certify that on November 20, 2009, the above notice was emailed to counsel for Actavis. I also certify that on November 24, 2009, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/Fred Thompson, III Esq.  
Fred Thompson, III, Esq.  
Motley Rice, LLC  
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Mt. Pleasant, SC 29464  
***Co- Lead Counsel***